

In The Matter Of:
JAMES D. SULLIVAN, et al. v.
SAINT-GOBAIN PERFORMANCE PLASTICS CORPORATION

EDWARD CANNING
April 24, 2018

COVERING ALL UPSTATE NEW YORK

»«
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»«

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EXHIBIT
5

EDWARD CANNING

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1 UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF VERMONT

3

4 JAMES D. SULLIVAN and LESLIE ADDISON,
5 WILLIAM S. SUMNER, JR., RONALD S. HAUSTHOR,
6 GORDON GARRISON, and TED and LINDA CRAWFORD,
individually, and on behalf of a Class of
persons similarly situated,

7 Plaintiffs,

8

9 -against-

Civil Action No.:
5:16-cv-000125-GWC

10

11 SAINT-GOBAIN PERFORMANCE PLASTICS CORPORATION,

12 Defendant.

13

14 Videotaped Deposition Of:

15 EDWARD CANNING

16 (Pursuant to Rule 30(b))

17

18 SUBJECT TO AN AGREED-UPON PROTECTIVE ORDER

19

20 DATE: April 24, 2018
TIME: 9:13 a.m. - 7:54 p.m.

21 HELD: HINKLEY ALLEN
22 30 South Pearl Street, Suite 901
Albany, New York 12207

23 BEFORE: Brenda J. O'Connor-Marello, CSR,
24 Certified Shorthand Reporter and
Notary Public in and for the
25 State of New York.

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1 A P P E A R A N C E S:

2 APPEARING FOR THE PLAINTIFF(S):

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22 -and-

23 BY: MARINA SCHWARZ, ESQ.
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25 Also Present:

David Freedman, Videographer

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7 Q. And the statement is made here that new
8 analytical methods had been developed,
9 allowing smaller amounts of APFO to be
10 detected. What does that refer to?

11 A. It -- meaning that the detection limits
12 were much lower. So where previously
13 test -- testing may have shown non-detect,
14 as a result of new advancement in
15 analytical methods, that detection limit
16 was -- was able to detect -- analytical
17 methods were able to detect APFO at much
18 lower levels now.

Response	Percentage
U.S. should take action	85%
U.S. should not take action	14%
U.S. should take action	85%
U.S. should not take action	14%
U.S. should take action	85%
U.S. should not take action	14%
U.S. should take action	85%
U.S. should not take action	14%
U.S. should take action	85%
U.S. should not take action	14%

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Category	Sub-category	Value
Category 1	Sub-category 1.1	10
	Sub-category 1.2	20
	Sub-category 1.3	30
	Sub-category 1.4	40
	Sub-category 1.5	50
	Sub-category 1.6	60
	Sub-category 1.7	70
	Sub-category 1.8	80
	Sub-category 1.9	90
	Sub-category 1.10	100
Category 2	Sub-category 2.1	10
	Sub-category 2.2	20
	Sub-category 2.3	30
	Sub-category 2.4	40
	Sub-category 2.5	50
	Sub-category 2.6	60
	Sub-category 2.7	70
	Sub-category 2.8	80
	Sub-category 2.9	90
	Sub-category 2.10	100
Category 3	Sub-category 3.1	10
	Sub-category 3.2	20
	Sub-category 3.3	30
	Sub-category 3.4	40
	Sub-category 3.5	50
	Sub-category 3.6	60
	Sub-category 3.7	70
	Sub-category 3.8	80
	Sub-category 3.9	90
	Sub-category 3.10	100
Category 4	Sub-category 4.1	10
	Sub-category 4.2	20
	Sub-category 4.3	30
	Sub-category 4.4	40
	Sub-category 4.5	50
	Sub-category 4.6	60
	Sub-category 4.7	70
	Sub-category 4.8	80
	Sub-category 4.9	90
	Sub-category 4.10	100

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[illegible]

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[illegible]

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Q. Okay. And you can see a darker shaded area. And I believe this is -- the arrow was north up on this map; so it would be to the west.

A. I -- yes. I recognize that.

Q. And then I believe you called it Action Area A?

A. Corrective Action Area I.

Q. Corrective Action Area I or --

A. One.

Q. Okay. Thank you.

In that Corrective Action Area I, Saint-Gobain has agreed to take responsibility for providing a municipal water supply; is that right?

A. Yes. That's correct.

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[illegible]

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[illegible]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6 Q. Okay.

7 A. That's correct.

8 MS. JOSELSON: Let me confer
9 with counsel for a minute.

10 THE WITNESS: Okay. Need to
11 leave the room?

12 MR. DAVIS: We'll walk out.

13 VIDEOGRAPHER: The time is 5:45.
14 We're off the record.

15 * * *

16 (A brief recess was taken.)

17 * * *

18 VIDEOGRAPHER: The time is 5:53.

19 This is DVD 4. We're on the record.

20 BY MR. DAVIS:

21 Q. Mr. Canning, I just have a few more
22 questions. I'm going to follow-up on some
23 things that I might not have asked
24 earlier, and then we'll end.